



LOS ALAMOS

County of Los Alamos
Minutes
Board of Public Utilities

1000 Central Avenue
Los Alamos, NM 87544

*Carrie Walker, Chair; Stephen McLin, Vice-chair; Eric Stromberg, Steve Tobin and Cornell
Wright Members*
Philo Shelton, Ex Officio Member
Harry Burgess, Ex Officio Member
Randall Ryti, Council Liaison

Wednesday, November 18, 2020

5:30 PM

Due to COVID-19 concerns, meeting will
be conducted remotely. Public can
view proceedings at
[http://losalamos.legistar.com/calendar.a
spx](http://losalamos.legistar.com/calendar.aspx) or attend via Zoom.

REGULAR SESSION - REMOTE ZOOM MEETING

1. CALL TO ORDER

The regular meeting of the Incorporated County of Los Alamos Board of Public Utilities was held on Wednesday, November 18th, 2020 at 5:30 p.m. Board Chair Carrie Walker called the meeting to order at 5:30 p.m.

The meeting was held remotely and BPU members, staff and the public participated through an online video conferencing platform. This social distancing was to comply with the recommendations of the Centers for Disease Control (CDC) to prevent the spread of COVID-19. Members of the public were able to live-stream the meeting online and submit public comment during the meeting.

Present 7 - Vice Chair McLin, Board Member Stromberg, Board Member Tobin, Chair Walker, Board Member Wright, Board Member Shelton and Board Member Burgess

2. PUBLIC COMMENT

Ms. Walker opened the floor for public comment on items on the Consent Agenda and for those not otherwise included on the agenda. There were no comments.

3. APPROVAL OF AGENDA

Mr. McLin moved that the agenda be approved as presented. The motion passed by the following vote:

Yes: 5 - Vice Chair McLin, Board Member Stromberg, Board Member Tobin, Chair Walker and Board Member Wright

4. BOARD BUSINESS

4.A. Chair's Report

Ms. Walker had nothing to report.

4.B. Board Member Reports

Board members reported on the following items:

1) Mr. McLin - Mr. McLin asked if there is a way to perform a search on past agenda items to piece together a history of actions taken on particular topics. Mr. Powers explained that the County uses an online Legistar database through which a person can enter key words or other search criteria to find historical information from past meetings. This database is available on the County's website. Mr. Wright further explained that if Mr. McLin clicks on the linked agenda file numbers in the electronic agenda packets, it will take him directly to that item in the database.

2) Mr. Tobin - Mr. Tobin would like a review of the LA Green program. People who pay LA Green are agreeing to have their bills be higher to get certain things for that; however, he was surprised that one of the options is that the money could go to subsidize coal power plants. He would like an overall review of the program. This will be added to the tickler as a future agenda item in the next few months.

3) Mr. Stromberg - Mr. Stromberg is an employee at Los Alamos National Laboratory. He attended a conflict of interest meeting recently, during which he was asked to make the following statement at a future Board meeting: "Everything I say here is coming from [me] as a citizen and is not coming from the Lab, and I don't represent the Lab on this board."

4.C. Utilities Manager's Report

Mr. Shelton provided a written report, which is included in the minutes as an attachment. The following additional information was given during the report:

With regards to the Carbon Free Power Project (CFPP), Mr. Wright asked Mr. Shelton to discuss whether or not Los Alamos County's subscription would go up if more members subscribe. Mr. Shelton explained that the County will have the option to increase its subscription, but having a smaller subscription at this point allows for flexibility to grow or maintain. During preparation of the Integrated Resource Plan next year, staff will evaluate the subscription needs around the 2030 time frame. As new subscribers come into the project, they will have to pay their fair share of the development costs, so Los Alamos County will be credited.

With regards to the CFPP, Mr. McLin asked Mr. Shelton whether or not the Board had previously given authority to go below the initial subscription rate. He suggested a future review of the numbers to better understand the rationale for doing so. Mr. Shelton explained that the subscription is based on the pro rata share within the available budget. The approvals in the past have allowed the Utilities Manager to make adjustments in accordance with the budget.

With regards to the CFPP, Mr. Tobin asked if those who left the project were some of the biggest partners (i.e., largest subscribers) Mr. Shelton explained that they were.

With regards to the upcoming retirement of Human Resources Manager Denise Cassel, Ms. Walker congratulated her and noted that she has always been a big help.

4.C.1 [13474-20](#)

Department of Public Utilities Quarterly Report

Presenters: Philo Shelton

Mr. Shelton presented this item. The following is the substance of the item being considered.

The Board requested that the quarterly report be presented each quarter, with salient features explained. The Public Relations Manager, Ms. Julie Williams-Hill, assisted Mr. Shelton and reviewed some of the information in the quarterly report, particularly describing the metrics reported.

The Board discussed this item and requested clarification where necessary.

4.D. County Manager's Report

Mr. Burgess reported on the following items:

1) Mr. Burgess expanded on the County's COVID response. He reported that the number of cases reported to the State today reached a new high at 2897 new cases with 26 new deaths. Last Friday, the Governor altered guidance and amended it again today. In response, the County closed recreational facilities. Open spaces and trails were not closed. Transit was reduced to only the Dial-a-Ride service. County owned facilities that are leased to others, such as the Nature Center and Art Center, are closed. All along, the Governor has stressed that those who can telework should do so, and office work should be reduced by 100%. Utilities and construction are exempted from some of the orders, but the County has tried to conform as much as possible in those areas. The Municipal Building, for all intents and purposes, is essentially closed for in-person visits. The Customer Care Center windows are closed. Customers can pay utility bills and property taxes through alternate methods such as mail-in, the drop-box in the Municipal Building parking lot and at Enterprise Bank. The County has recently implemented an online payment method for property taxes, which allows customers to pay with a credit card. The Utilities Department, Public Works and public safety departments are still active with employees out in field. The goal has been to minimize office interactions as much as possible. This is scheduled to last through November 30th, but the County will respond accordingly depending on any alterations the Governor makes.

The following additional information was given during the report:

Ms. Walker asked how many positive COVID cases have been reported amongst County employees. Mr. Burgess reported that there have been 11 positive COVID cases, including those in Utilities.

4.E. Council Liaison's Report

Mr. Ryti provided a written report, which is included in the minutes as an attachment.

4.F. Environmental Sustainability Board Liaison's Report

Mr. Erik Lochelle was not in attendance. No report was given.

4.G. General Board Business

4.G.1 [13260-20](#) Begin 2020 Board of Public Utilities Annual Self-evaluation

Presenters: Carrie Walker

Ms. Walker presented this item. The following is the substance of the item being

considered.

Annually, the Board conducts a self-evaluation of its own performance as outlined in section 3.9 of the Procedures Manual. The current self-evaluation follows the template taken from the American Public Power Association Handbook for Public Power Policymakers. In preparation for this initial discussion, board members were asked to review the current format, along with the results from the 2019 self-evaluation.

There were no format changes suggested. The Board will begin conducting the evaluation at the next meeting.

4.G.2 [13493-20](#)

Follow-up to Planning for Upcoming Board of Public Utilities Annual Boards & Commissions Presentation to Council

Presenters: Carrie Walker

Ms. Walker presented this item. The following is the substance of the item being considered.

On September 22nd, the Board of Public Utilities was originally scheduled to give its annual Boards & Commissions presentation to Council; however, that was delayed. The presentation to County Council is now scheduled for December 1, 2020. Board members and staff suggested several additions and corrections. Ms. Walker will incorporate these into the final presentation.

4.H. Approval of Board Expenses

There were no Board expenses.

4.I. Preview of Upcoming Agenda Items

4.I.1 [13554-20](#)

Tickler File for the Next 3 Months

Presenters: Board of Public Utilities

In addition to the items already listed in the tickler provided in the agenda packet, the following items were identified for the tickler for upcoming meetings:

- 1) Date TBD - Review of the LA Green Program (Steve Tobin)

5. PUBLIC HEARING(S)

There were no public hearings.

6. CONSENT AGENDA

Mr. Tobin moved that the Board of Public Utilities approve the items on the Consent Agenda as presented and that the motions contained in the staff reports be included in the minutes for the record. The motion passed by the following vote:

Yes: 5 - Vice Chair McLin, Board Member Stromberg, Board Member Tobin, Chair Walker and Board Member Wright

FINAL - APPROVED

6.A [13552-20](#) Approval of Board of Public Utilities Meeting Minutes

Presenters: Board of Public Utilities

I move that the Board of Public Utilities approve the meeting minutes of October 9th and October 21st, 2020 as presented.

6.B [13429-20](#) Approval of Budget Revision 2021-17 for Increases to Salaries and Benefits for the International Brotherhood of Electrical Workers (IBEW) Local 611 Agreement with the Incorporated County of Los Alamos

Presenters: Bob Westervelt

I move that the Board of Public Utilities approve Budget Revision 2021-17. I further move that the budget revision be included in the minutes as an attachment and forwarded to Council for approval.

6.C [13451-20](#) Approval of Nomination of Engineering Associate Ben Olbrich as Los Alamos' Member on the New Mexico Municipal Energy Acquisition Authority (NMMEA) Board of Directors

Presenters: Bob Westervelt

I move that the Board of Public Utilities approve nomination of Engineering Associate Ben Olbrich as Los Alamos' member on the New Mexico Municipal Energy Acquisition Board and forward to Council with a recommendation for approval.

6.D [AGR0720-20](#) Approval of Amendment No. 3 to Services Agreement No. AGR16-042 with Open Access Technology, Inc. in the amount of \$27,000.00, for a Total Agreement Amount Not to Exceed \$706,320.00, plus Applicable Gross Receipts Tax, for Additional webTrader Functionality for the Energy Trade Capture and Scheduling Software

Presenters: Steve Cummins

I move that the Board of Public Utilities approve Amendment No. 3 to Services Agreement No. AGR16-042 with Open Access Technology, Inc. in the amount of \$27,000.00, for a Total Agreement Amount Not to Exceed \$706,320.00, plus Applicable Gross Receipts Tax, for Additional webTrader Functionality for the Energy Trade Capture and Scheduling Software, and forward to Council for approval.

6.E [13518-20](#) Award of Bid No. 21-05 for the Purpose of the Overlook Park Non-Potable Water Booster Station Replacement Project with RMCI, Inc. in the Amount of \$1,562,500, plus Applicable Gross Receipts Tax.

Presenters: James Alarid

I move that the Board of Public Utilities approve the Award of Bid No. 21-05 for the Purpose of the Overlook Park Non-Potable Water Booster Station Replacement Project with RMCI, Inc. in the Amount of \$1,562,500 and a contingency in the amount of \$234,000, for a total of \$1,796,500 plus Applicable Gross Receipts Tax and forward to Council for approval.

7. BUSINESS

- 7.A [AGR0718-20](#) Approval of the (REVISED) Amendment to the Software as a Service/Spectrum and Technical Support Agreement with Sensus USA, Inc., and Amendment No. 1 to Services Agreement No. AGR19-912 with Ferguson, Inc. in the amount of \$175,580.00, plus applicable gross receipts tax, for the Purpose of Implementing an Advanced Metering Infrastructure Customer Portal

Presenters: James Alarid

Deputy Utility Manager of Engineering Mr. James Alarid presented this item. The following is the substance of the item being considered.

This amendment was originally presented to and approved by the Board in September. Soon after the September Board meeting, and prior to Council approval, changes were proposed by Sensus. The changes received were to incorporate the portal scope into the agreement by amending an existing exhibit in the original agreement. However, payment was not adequately addressed in their proposed changes. Staff coordinated the suggested format changes and addressed the cost element of the portal to staff's satisfaction. The purpose of this amendment is for the development, installation and on-going maintenance of a customer portal for County utility users for ten years. The customer portal will allow County utility customers the ability to access their data recorded by the Sensus Advanced Metering Infrastructure (AMI) for the purpose of viewing their utility consumption, setting up customized alerts, paying bills and providing an additional communication channel to the Department of Public Utilities(DPU). The DPU will have the ability to include customizable administrative utility features and alerts, which will allow DPU staff to add custom content, such as conservation tips, leak detection and outage management/notification. The DPU will use the availability of the near real-time consumption to create new conservation measures, which can now be individualized to each customer. The costs will be funded by approved contingency for the AMI project.

The Board discussed this item and requested clarification where necessary.

Ms. Walker moved that the Board of Public Utilities approve the Amendment to the Software as a Service/Spectrum and Technical Support Agreement with Sensus USA, Inc., which is Exhibit D to AGR19-912 with Ferguson, Inc., for the purpose of implementing an Advanced Metering Infrastructure (AMI) Customer Portal, funding for which is payable through the Ferguson agreement. She further moved that the Board approve Amendment No. 1 to Services Agreement No. AGR19-912 with Ferguson, Inc. in the amount of \$175,580.00, plus applicable gross receipts tax for the AMI Customer Portal. She further moved that the Board forward both amendments to Council for approval and authorize the Utilities Manager to sign both amendments. The motion passed by the following vote:

Yes: 3 - Board Member Tobin, Chair Walker and Board Member Wright

Abstain: 1 - Vice Chair McLin

No: 1 - Board Member Stromberg

7.B [13538-20](#) Consideration of Alternatives to the Baldrige Performance Excellence Program

Presenters: Philo Shelton

Mr. Shelton presented this item. The following is the substance of the item being considered.

This past fiscal year the Board chose to apply for a Zia award from Quality New Mexico (QNM) to satisfy a charter requirement that every five years an outside agency review DPU's operations. QNM administers the New Mexico Performance Excellence Awards program based on the national Malcolm Baldrige framework for performance excellence. In April 2020, after review of the feedback report, the Board asked staff to identify alternatives to the Baldrige Performance Excellence Program. Additionally, APWA has an accreditation manual to use for the development of Standard Operating Procedures (SOPs), and where APWA may not have applicable SOPs, staff proposes to use the ISO industry standards and benchmarks. The APWA accreditation process should fulfill the charter operations review requirement and meet the desired outcome to strengthen the Department's SOP's that are tied to appropriate industry metrics, which are then reviewed by industry professionals as part of an accreditation process.

Ms. Dawn Reed from Human Strategies, LLC and Mr. Graham Bartlett were present to discuss other alternatives, including the ISO program. Unfortunately, Mr. Lawrence Chavez from Los Alamos National Lab was unable to attend as planned to discuss their experience with the APWA accreditation process.

The Board discussed this item and requested clarification where necessary.

Mr. Wright moved to table this item until we are able to learn more about the APWA program from Mr. Chavez or another expert at the earliest possible opportunity. The motion passed by the following vote:

**Yes: 5 - Vice Chair McLin, Board Member Stromberg, Board Member Tobin,
Chair Walker and Board Member Wright**

8. STATUS REPORTS

8.A [13553-20](#) Status Reports

Presenters: Board of Public Utilities

The following informational status reports were provided to the Board in the agenda packet:

- 1) Electric Reliability Update
- 2) Accounts Receivables Report
- 3) Safety Report

9. PUBLIC COMMENT

Ms. Walker opened the floor for public comment on any items. There were no comments.

10. ADJOURNMENT

The meeting adjourned at 8:00 p.m.

APPROVAL

Carrie Walker

Board of Public Utilities Chair Name



Board of Public Utilities Chair Signature

December 16, 2020

Date Approved by the Board

ATTACHMENT
OFFICER REPORTS
SUBMITTED AT THE MEETING

FINAL - APPROVED

Utility Manager's Report November 18, 2020

1. I would like to congratulate Timo Martinez, Lineman, on being selected as the Safety Employee of the Quarter. I appreciate the time and initiative he has taken to be in charge of the glove and sleeve testing program and ensuring that it occurs on a quarterly schedule. He served several terms on the safety committee on behalf of his electric distribution team. Additionally, he is always observed using his personal protective equipment and he does not hesitate to remind coworkers to do the same. Thank you for demonstrating outstanding safe behavior that promotes the Safety Culture Vision of the Department. Mr. Martinez will be awarded a day of administrative leave with pay.
2. Continued to attend weekly meetings with UAMPS on the Carbon Free Power Project (CFPP) regarding subscription and development costs for first phase of the licensing period. On November 10th, the subscription of all remaining members was released. Generally, most members established a budget cap as Los Alamos County did. The final level of subscription ended up being 100.6 MW between 27 members. During this subscription increase, reduction and withdrawal phase, we lost 9 members out of 35 original members and added one member. LAC ended up with 6.37 MW with the budget of \$1.26 Million for this first phase of the COLA application preparation. While DOE has issued a ten-year grant agreement for \$1.355 Billion, this agreement came towards the end of this subscription off-ramp phase. Going forward, UAMPS is going to focus on increasing subscription and it is necessary before moving into the second phase of the project development. The Economic Competitive test remains at \$55/MWHR at 2020 dollars.
3. Held a short meeting between PNM, the owners of the San Juan Generating Station and, with the Farmington and Enchant team regarding the need for more details on the project feasibility and the need for financial instruments to assure a clean break from the project. The Farmington and Enchant team are going to develop a schedule of deliverables required as we move towards the anticipated plant closure on June 30, 2022.
4. Staff continues to work with NMED and Laboratory to cleanup an area of the soil containing the oil of approximately 1.2 cubic yards of soil located next to Otowi Well #4 at DP Los Alamos Canyons confluence. Staff is holding weekly meetings with LANL and NMED. Staff has developed stream profiles to better understand where the oil and sediments are collecting. Staff is obtaining an new sampling permit with LANL to sample the sediments in the low points of the stream profile.
5. Attended the monthly LANL Cleanup Technical Working Group meeting and this month the group covered stormwater quality issues.

FINAL - APPROVED

6. DP Lift Station equipment is being installed and the planned cut over to the new lift station is planned towards the end of this month. Staff continues to coordinate with N3B on their clean-up efforts and reseeding and placing millings around the lift station are not necessary by LAC since N3B will be continuing to excavate the site as part of their cleanup efforts.
7. With the latest Governor's orders regarding the COVID-19 pandemic, DPU staff continues to adjust its operations, from cleaning of facilities, stand-by quarters and equipment, ordering vehicle barriers for the crews, and installation of software for additional remote working functionality. This past month, we have experienced four employees contracting COVID-19 and the quarantine of impacted work groups. Management continues to stress safe work practices to avoid the spread and we are holding weekly GoTo meetings to better support our work teams, answer questions, and develop alternative work methods to help best maintain our operations.
8. Staff has been working with Ms. Prisca Tiasse on collecting wastewater samples for analyzing concentrations of COVID-19 in the samples. This past month, they observed an increase in viral loads. Their goal is to refine their protocol for low viral-load communities such as Los Alamos and monitor any increase over time, and they will quantify the increase and should be able to estimate the number of RNA copies detected (per mL). Going forward, they will most likely collect at least 2 more samples around Thanksgiving and Christmas time (when we expect more visitors in town) to see whether they observe a bigger increase in viral load in the community, and at least 2 more after a vaccine has been distributed (to assess its efficacy in reducing the community viral load). They have been working on developing standardized protocols, as part of a global consortium, for wastewater microbial testing. Their data will be part of a later publication on COVID-19 environmental monitoring.
9. Participating in the interviews for a new Human Resources Manager to replace Denise Cassel who is retiring in the next couple of months.

Council Liaison Report, Randall Ryti Vice Chair

November 18, 2020

October 27, 2020 Work Session

Briefing to Council from the Lodger's Tax Advisory Board.

We had a presentation on the current status of Downtown Master Plans and development code update. Adding an additional public involvement session to get input from youth was discussed. We also had a discussion of the history of efforts to obtain community broadband services.

October 29, 2020 Special Session - Joint Meeting with LAPS School Board

No action was taken but the North Mesa Housing Feasibility Study was discussed as well as a draft Memorandum of Agreement between LAPS and Los Alamos County to continue exploring options for the approximately 30 acres of land located east of Los Alamos Middle School. Seventeen members of the public commented at the meeting.

November 10, 2020 Regular Meeting

Closed session to discuss purchase, acquisition, or disposal of real property.

Briefing to Council from the Arts and Public Places Board.

Consent items included: authorizing loan applications for Otowi wells #2 and #4 and amending the salary plan for power scheduler/energy analyst job. Other notable consent items were approving an amendment for on-call materials testing and abatement, entering into a MOU with the NCRTD, and approving the jail condition report to the District Court.

We introduced an Ordinance amending the salary for the County Clerk. We had a public hearing repealing the old Labor Management Board and establishing the new one consistent with NM law.

Under business we considered recommendations from the Community Development Advisory Board related to prioritizing enforcement of health and safety issues. We also approved the FY21 Boards and Commissions work plans.

Lastly we heard an appeal of the P&Z case that granted a special use permit for an in-home day care. The actions of P&Z were upheld.

November 17, 2020 Regular Meeting

Closed session on threatened or pending litigation and to discuss purchase, acquisition, or disposal of real property.

Main items were presentations from NNSA and DOE-EM on the Middle DP Road Site and the adjacent property "the Bluffs" (A-8-b) and Triad on current response to COVID-19 and plans for future hiring and community needs.

We had a public hearing on an Ordinance that updated the salary for the County Clerk.

Potential Development and Land Use

North Mesa Housing Feasibility Study (Los Alamos Public Schools property), report is final, and there was a joint Council and LAPS Board meeting on Oct 29th. Nine other projects are in various phases of planning or development.

DP Road parcels transferred from DOE and available for development. A-8-A and A-16-A. Progress on DP Road parcels is pending action on the Middle DP Road Site (radioactive materials discovered in Feb 2020, plan being prepared and ready for review in Dec 2020). Seven other commercial properties are in various phases of planning or development. County has offered two lots on Trinity Drive for possible development (3661 and 3689 Trinity Drive).

See Figure 8 on page 39 in the “Los Alamos County Housing Market Needs Analysis, 2019” for maps showing LAC and LAPS owned land to consider for housing. Map does not differentiate those lands with existing uses (e.g., airport, golf course, stables).

NNSA denied a request for a “special use” permit for recreational use in Los Alamos Canyon. Special event access may be requested and special use permit may requested once clean up activities are complete.